



Application for Council Consent to Build Over Easement Regulation 130 of the Building Regulations 2018

- New Application
- Extension of time or amendment to previously approved application

Reference BOE

Property Details

Please complete the details of the property affected by the report and consent.

Street Address Town

Postcode Lot Number Folio

Volume Lodged Plan/Plan of Subdivision

Applicant's Details

Applicant is the following:

- Building Surveyor
- Property Owner
- Agent of Owner

Owner's Name Phone Number

Postal Address Town

Post Code Email Address

Owner's Declaration

Please have this section completed by the owner when the applicant is acting on their behalf.

Owner's Name Phone Number

Postal Address Town

Post Code

I hereby authorise the applicant to lodge an application for report and consent with Baw Baw Shire Council and act on my behalf in this matter.

Signature

Date



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Description of Proposed Works

Please provide a description of the proposed works to be constructed over the easement

Copy of Title

Please include a complete copy of the title documentation and attachments including covenants and section 173 agreements. Title should be no more than 12 months old.

Plans

Drawings should include floor plans, building elevations, footing details, dimensions and sections. The details of the easement and any assets (size, depth and offset) located within the easement.

Attachment Checklist

The following must be attached to the request for report and consent:

- Completed application form, including payment information
- Signed indemnity statement and conditions (must be signed by owner)
- Copy of current title and title plan including any registered instruments such as covenants or Section 173 agreements.
- Plans, elevations, footing details, dimensions and sections

Applicant's Signature

Signature

Date



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Indemnity Statement and Conditions

To be submitted with an application for Regulation 130 Application for permission to build over a drainage easement.

Should the application to build over the easement be successful the owner of the land indemnifies Council by agreeing to the following conditions:

1. To permit the council to enter into and upon the building and/or the easement for the purpose of inspecting, constructing, maintaining or repairing any drain or other works of the council now laid or which may be hereinafter laid by council.
2. To be solely responsible for all injury, loss or damage which may be occasioned to the said building by reason of or incidental to the carrying out of the inspection, construction, maintenance or repair of a drain or other works of the council within the easement or by reason of or incidental to the presence of a drain or other works of the council within the easement.
3. To indemnify council against all actions, claims, suits and demands arising out of or incidental to the erection and/or retention of the said building over a drain or other works of the council and/or the said easement.
4. To pay to the council any additional cost incurred by it in inspecting, construction, maintaining or repairing a drain or other works of the council by reason of the said building having been erected over such drain or other works of the council and/or the said easement.
5. Not to sell or mortgage land to which this consent refers without first disclosing the contents of this consent to the Purchaser or Mortgagee.

Owner's Signature

The landowner must sign below (an applicant can't sign on their behalf)

Signature

Date



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Fees and Lodgement

Application Fees 2021/22

New Application - \$294.70

Extension of Time/Minor amendment to previously approved application - \$147.00

Forms can be submitted by the following methods:

Email: reportconsent@bawbawshire.vic.gov.au

In person: Baw Baw Shire Council Customer Service Centre, 33 Young Street, Drouin 3818

Mail: Building Services Team, Baw Baw Shire Council, PO Box 304 Warragul 3820

Please note: Incomplete applications may be refused at application stage. Please ensure the above checklist is completed.

The personal information requested on this form is being collected to enable council to consider the application. Council will use this information for this purpose, or one directly related and may disclose this information as required by law in accordance with the *Privacy and Data Protection Act 2014*. The applicant may apply to council for access and/or amendment of the information by contacting council's freedom of information/privacy officer on 5624 2411.



Credit Card Payment Form

Privacy Statement

Your information will only be accessed by employees of Baw Baw Shire Council in order to conduct its business. Baw Baw Shire Council will not provide any personal information obtained from you to a third party without your consent, unless required to do so by law.

Customer Service disposes of this form in secure recycling

Cardholder's Name																			
Name to be placed on receipt																			
Credit Card Type	Visa						Mastercard												
Credit Card Number					-					-									
Expiry Date	M		M	/	Y		Y		CCV										
Contact phone number																			
Property Address																			
Amount to charge	New Application - \$294.70 Time extension of amendment - \$147.00																		

Would you like a copy of the financial receipt emailed or posted?

Email Address													
Postal Address													

OFFICE USE ONLY	
Property number	
GL mnemonic	10-1208-1001-40021 / Build Dispensation
Other / Notes	

Baw Baw Shire Council

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